

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1300
OFFERED BY MS. MCSALLY OF ARIZONA

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “First Responder An-
3 thrax Preparedness Act”.

4 SEC. 2. PRE-EVENT ANTHRAX VACCINATION PROGRAM FOR
5 EMERGENCY RESPONSE PROVIDERS.

6 (a) ANTHRAX PREPAREDNESS.—

7 (1) IN GENERAL.—Title V of the Homeland Se-
8 curity Act of 2002 (Public Law 107–296; 6 U.S.C.
9 311 et seq.) is amended by adding at the end the
10 following new section:

11 “§ 526. Anthrax preparedness

12 “(a) PRE-EVENT ANTHRAX VACCINATION PROGRAM
13 FOR EMERGENCY RESPONSE PROVIDERS.—For the pur-
14 pose of domestic preparedness for and collective response
15 to terrorism, the Secretary of Homeland Security, in con-
16 sultation with the Secretary of Health and Human Serv-
17 ices, shall establish a program to provide surplus anthrax
18 vaccines from the strategic national stockpile under sec-

tion 319F–2(a) of the Public Health Service Act (42 U.S.C. 247d–6b(a)) to emergency response providers for administration to such providers who voluntarily consent to such administration, and shall—

“(1) establish any necessary logistical and tracking systems to facilitate making such vaccines so available; and

“(2) distribute disclosures regarding associated benefits and risks to end users.

“(b) THREAT ASSESSMENT.—The Secretary shall—

“(1) support homeland security-focused risk analysis and risk assessments of the threats posed by anthrax from an act of terror;

“(2) leverage existing and emerging homeland security intelligence capabilities and structures to enhance prevention, protection, response, and recovery efforts with respect to an anthrax terror attack; and

“(3) share information and provide tailored analytical support on threats posed by anthrax to State, local, and tribal authorities, as well as other national biosecurity and biodefense stakeholders.”.

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by in-

1 serting at the end of the items relating to title V the
2 following new item:

“Sec. 526. Anthrax preparedness.”.

3 (b) PILOT PROGRAM.—

4 (1) IN GENERAL.—In carrying out the pre-
5 event vaccination program authorized in section
6 526(a) of the Homeland Security Act of 2002, as
7 added by subsection (a), the Secretary, in coordina-
8 tion with the Secretary of Health and Human Serv-
9 ices, shall carry out a pilot program to provide an-
10 thrax vaccines to emergency response providers as so
11 authorized. The duration of the pilot program shall
12 be at least 18 months.

13 (2) PRELIMINARY REQUIREMENTS.—By not
14 later than one year after the date of the enactment
15 of this Act, and prior to implementing the pilot pro-
16 gram under paragraph (1), the Secretary shall—

17 (A) establish a communication platform for
18 the pilot program;

19 (B) establish education and training mod-
20 ules for the pilot program;

21 (C) conduct economic analysis of the pilot
22 program; and

23 (D) create a logistical platform for the an-
24 thrax vaccine request process under the pilot
25 program.

1 (3) LOCATION.—In carrying out the pilot pro-
2 gram under this subsection, the Secretary shall se-
3 lect emergency response providers based in at least
4 two States for participation in the pilot program.

5 (4) DISTRIBUTION OF INFORMATION.—The
6 Secretary shall provide to each emergency response
7 provider who participates in the pilot program under
8 this subsection disclosures and educational materials
9 regarding the associated benefits and risks of any
10 vaccine provided under the pilot program and of ex-
11 posure to anthrax.

12 (5) REPORT.—Not later than one year after the
13 date of the enactment of this Act, and annually
14 thereafter until the completion of the pilot program,
15 the Secretary shall submit to the Committee on
16 Homeland Security of the House of Representatives
17 and the Committee on Homeland Security and Gov-
18 ernmental Affairs of the Senate a report on the
19 progress and results of the pilot program. The re-
20 port shall include a plan under which the Secretary
21 plans to continue the program to provide vaccines to
22 emergency response providers under section 526(a)
23 of the Homeland Security Act of 2002, as added by
24 subsection (a).

1 (6) DEADLINE FOR IMPLEMENTATION.—The
2 Secretary shall begin implementing the pilot pro-
3 gram under this subsection by not later than the
4 date that is one year after the date of the enactment
5 of this Act.

